

CLEAN AIR ACT

R6-7-8. Inspections and Information Gathering

1. AUTHORITY.

a. To enter the premises of any person who owns or operates an emission source or who is subject to the requirements of the Clean Air Act; inspect records or monitoring equipment and methods; reproduce documents; take samples; conduct tests; require that information be reported; exercise any other authorities pursuant to the Clean Air Act and the regulations thereunder relating to the performance of inspections; give notice to the States of inspections; and determine that such notices are not required.

b. To require the owner or operator of any emission source or any person subject to any requirement of the Clean Air Act: to maintain records; make reports; install, use and maintain monitoring equipment or methods; sample emissions; and provide other information.

c. To obtain and execute warrants for the purpose of performing inspections or information gathering.

d. To designate representatives of the Administrator to perform the functions contained in paragraphs 1.a through 1.c above.

2. TO WHOM DELEGATED. Director, Compliance Assurance and Enforcement Division, Director, Multimedia Planning and Permitting Division, and the Director, Superfund Division.

3. LIMITATIONS.

a. The Director, Multimedia Planning and Permitting Division, may exercise this authority only as it relates to 40 CFR Part 61, Subparts B, H, I, K, Q, R, and W.

b. The Director, Superfund Division, may exercise this authority as it relates to facilities regulated by 112(r) of the Clean Air Act.

4. REDELEGATION AUTHORITY. This authority may not be redelegated.

5. SUPERSESSON. This delegation supersedes Region 6 Delegation R6-7-8, dated June 10, 1997, TN-260.

6. ADDITIONAL REFERENCES.

a. Clean Air Act Section 112(r), 114, 203, 206(c), 208(a), and 211; 40 CFR 52, 40 CFR 60, 40 CFR 61, 40 CFR 80 and 40 CFR 86.

b. As provided in Clean Air Act Section 114(D), the lack of notice to the States will not constitute a defense in any enforcement action or make inadmissible evidence obtained under such an inspection.

Delegation of Authority from the
Regional Administrator